



13

Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: MARIA S. CADAVID, AICP, CSBA, SENIOR PLANNER 
480-503-6812, MARIA.SUNIGA-CADAVID@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER 
480-503-6016, CATHERINE LORBEER@GILBERTAZ.GOV

MEETING DATE: JANUARY 8, 2014

SUBJECT: Z13-32: REQUEST TO AMEND ORDINANCES NOS. 1900, 2179, 2195, 2304, 2413, 2425 AND 2443 TO REZONE APPROXIMATELY 5.9 ACRES OF REAL PROPERTY WITHIN THE COOLEY STATION RESIDENTIAL, OFFICE AND SHOPPING CENTER PLANNED AREA DEVELOPMENT AND COOLEY STATION -RESIDENTIAL 2 PLANNED AREA DEVELOPMENT LOCATED AT THE SOUTHEAST CORNER OF SOUTH WADE DRIVE AND EAST VEST AVENUE FROM APPROXIMATELY 5.9 ACRES OF SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT TO APPROXIMATELY 5.9 ACRES OF MULTI-FAMILY/LOW (MF-L) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT.

| | |
|------------------------------|----------------------|
| STRATEGIC INITIATIVE: | Community Livability |
|------------------------------|----------------------|

This Gateway area acreage has been identified as a site for a small scale Place of Worship that will complement the high quality of future surrounding residential development.

RECOMMENDED MOTION

FOR THE REASONS SET FORTH IN THE STAFF REPORT, MOVE TO RECOMMEND APPROVAL TO THE TOWN COUNCIL FOR Z13-32, AS REQUESTED, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT.

APPLICANT/OWNER

| | | | |
|----------|--|----------|--|
| Company: | Pew & Lake, PLC | Company: | Poco Ranch, Inc. |
| Name: | W. Ralph Pew | | |
| Address: | 1744 S. Val Vista Drive # 217 Mesa, AZ 85204 | Address: | 17405 East Ray Road Gilbert, AZ 85296 |
| Phone: | 480-461-4670 | Phone: | 480-988-3110 |
| Email: | ralph.pew@pewandlake.com | Email: | jeff@coolestation.com |

BACKGROUND/DISCUSSION

History

| <i>Date</i> | <i>Action</i> |
|--------------------------|---|
| <i>December 19, 2006</i> | Town Council adopted Annexation No. A05-03, Ordinance No. 1878. |
| <i>March 6, 2007</i> | The Town Council adopted Ordinance No. 1900 in case Z06-74 to rezone approximately 302 acres that constitute the Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD). |
| <i>June 24, 2008</i> | The Town Council adopted Ordinance No. 2179 in rezoning case Z07-117 and approved an amendment to an approximately 300 acre site in the Cooley Station PAD for the Residential, General Office and Shopping Center parcels to revise several conditions of Ordinance No. 1900 in zoning case Z06-74, modifying development standards for building and landscape setbacks, and revising the street sections and key street exhibits. |
| <i>August 5, 2008</i> | The Town Council approved Ordinance No. 2195 in case Z07-99, which rezoned approximately 198 acres from Maricopa County to Single Family Detached (SF-D) and 41 acres of Public Facilities/Institutional (PF/I) creating the Cooley Station Residential-2 Planned Area Development. |
| <i>October 7, 2010</i> | The Town Council adopted Ordinance No. 2304 amending approximately 97 acres of the Cooley Station Residential, General Office and Shopping Center PAD to add new exhibits and incorporate revised development standards for Parcel 11 (Heritage at Cooley Station). |
| <i>January 17, 2013</i> | Town Council approved Resolution No. 3148 for GP12-07 and, Ordinance No. 2413 for Z12-20 to rezone Parcel 16 of Cooley Station for a charter school (The Charter School Fund II) subject to the conditions. |
| <i>May 2, 2013</i> | The Town Council adopted Ordinance No. 2525 in rezoning case Z12- |

26 and rezoned approximately 35 acres for a single family detached and Multi-Family Medium (MF-M) development in the Cooley Station (Parcels 12 and 13) for Fincher Fields residential development

September 5, 2013 The Town Council adopted Ordinance No. 2443 in rezoning case Z13-16 to amend the development plan and the development standards of Parcel 15 (Fulton Homes).

November 21, 2013 The Town Council approved a technical correction to Ordinance No. 2443 for rezoning case Z13-16.

Overview

The proposed rezoning consists of approximately 5.9 acres located southeast of South Wade Drive and East Vest Avenue and constitutes a portion of parcel 1A of the Cooley Station Planned Area Development (PAD). The parcel is currently zoned Single-Family Detached (SF-D) with a PAD and this zoning district does not allow a Place of Worship (small-scale) use; therefore, the applicant requests the Multi-Family/Low (MF-L) zoning district designation that allows them to stay in the same General Plan land use classification of Residential > 8-14 DU/Acre. The owner of the property agrees to this request because the multi-family district is more in accordance with the density and type of residential product that might be developed in the surroundings in the event that the church facility does not get built.

Surrounding Land Use & Zoning Designations:

| | Existing Land Use Category | Existing Zoning | Existing Use |
|-------|--|--------------------------------|---|
| North | Residential > 5-8 DU/Acre | Single Family Detached (SF-D) | Fulton Homes Development (Parcels 15 of Cooley Station) |
| South | Residential > 8-14 DU/Acre | Single Family Detached (SF-D) | Vacant |
| East | Residential > 8-14 DU/ Acre | Single Family Detached (SF-D) | Cooley Station Parcel 1A |
| West | S. Wade Drive then Residential > 3.5-5 DU/Acre | Single Family- Detached (SF-D) | S. Wade Drive then existing Lyon's Gate 10 Subdivision |
| Site | Residential > 8-14 DU/Acre | Single Family Detached (SF-D) | Vacant |

Development Standards

| | Multi-Family/Low Zoning District | Multi-Family/Low Zoning District |
|--|-------------------------------------|--|
| Table 2.204: Site Development Regulations | LDC | Proposed |
| Minimum Parcel Area (sq. ft.) | 20,000 | 5.9 Acres or 257,004 sq. ft. |
| Maximum Building Height (ft.) | 36' | 31'-4" |
| Minimum Setbacks (ft.) | | |
| Front | 25' | 50' |
| Side (Street) | 30' | 178'-9" |
| Side (Residential) | 25' | 256' |
| Rear (Residential) | 40' | 188'-6" |
| Minimum Required Perimeter Landscape Area (depth in ft.) | | |
| Front | 20' | 50' |
| Side Street | 20' | 26'-3" |
| Side Residential | 20' | 20' |
| Rear Residential | 20' | 47'-7" from future parking expansion |
| Common Open Space (minimum) | 45% of net site | 37% of net site 94,525 sq. ft. or 2.35 acres |
| Off-Street Parking and Loading | 189 spaces | 233 spaces |

CONFORMANCE WITH GENERAL PLAN

The proposed amendment conforms to the overall intent, goals and policies of the General Plan Gateway Character Area as it:

- Creates high quality traditional residential neighborhoods throughout Gateway area, with safe and convenient circulation, open space and recreational opportunities and a pedestrian network. Link open spaces to schools, commercial and employment services and neighborhoods by safe and attractive pedestrian ways, bicycle paths, trail systems and small-scale, narrow residential streets.
- Minimizes the amount of fencing to create a more open feel in the neighborhoods. Encourage the installation of low profile, attractive, open fencing adjacent to local and collector streets.

REZONING

The rezoning proposes to amend the zoning district designation of 5.9 acres of parcel 1A of Cooley Station PAD from Single – Family Detached (SF-D) with a PAD to Multi-Family/Low (MF/L) with a PAD. The requested zoning district designation is one that allows the development of a Place of Worship and it is also one of the recommended districts to achieve the density within the range Residential > 8-14 DU/Acre where this parcel is located.

The development plan illustrates compliance with all the development standards for the Multi-Family/Low zoning district except for the provision of the Common Open Space and amenities associated with a residential use. The Development Plan Exhibit shows 37% of the net area as open space instead of the 45% of net site. Being a non-residential use in a multi-family district, staff does not have a concern with the shortage of open space since every space on the site will be landscaped that is not occupied by the building footprint of driveways and parking stalls. All other perimeter landscape areas are met or exceeded.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, and an official notice was posted in all the required public places within the Town.

A neighborhood meeting for Z13-32 was held on September 19, 2013 at 6:00 p.m. at Williams Field High School, 2076 South Higley Road. It was attended by four (4) property owners, the applicant and staff. Questions included the following comments/concerns:

- Traffic on Galveston and Higley is already packed on Sundays by the existing church.
- People already park on Higley to attend the Stake Center on Higley.
- Question about the size of the congregation.
- Why the Town should approve it?
- Why are they putting 2 chapels so close together?
- Extent of the improvement for Vest and Wade Roads.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. These waivers are located in the case file (Z13-32).

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan, the Gateway Character Area, neighborhood, or other plan and any overlay zoning district.

2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town's strategic initiative for Community Livability. It supports the motto "Gilbert: Clean, Safe, Vibrant."

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms to the intent of the Gateway Character Area in the General Plan and can be coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval to the Town Council for Z13-32, to amend Ordinances 1900, 2179, 2195, 2304, 2413, 2425 and 2443, a request to rezone approximately 5.9 acres of real property generally located at the southeast corner of South Wade Drive and East Vest Avenue (portion of parcel 1A of the Cooley Station Planned Area Development - PAD) from Single Family – Detached (SF-D) zoning district (PAD) to Multi-Family/Low (MF/L) zoning district (PAD) subject to the following condition:

- a. The Project for a portion of parcel 1A (Cooley Station Meeting House) of the Cooley Station PAD shall be developed in conformance with the Town's zoning requirements for the Multi-Family/Low (MF/L) zoning district and all development shall comply with the Town of Gilbert Land Development Code except as modified by the following:

| | |
|----------------------------------|--|
| Multi-Family/Low (MF/L) District | Portion of Parcel 1A Cooley Station Meeting House |
| Common Open Space (minimum) | 37% of net site |

Respectfully submitted,



Maria S. Cadavid, AICP, CSBA
Senior Planner

Attachments:

1. Notice of Public Hearing Map
2. Zoning Exhibit
3. Development Plan Exhibit & Open Space and Circulation Map
4. Minutes of the Planning Commission 12.4.2013

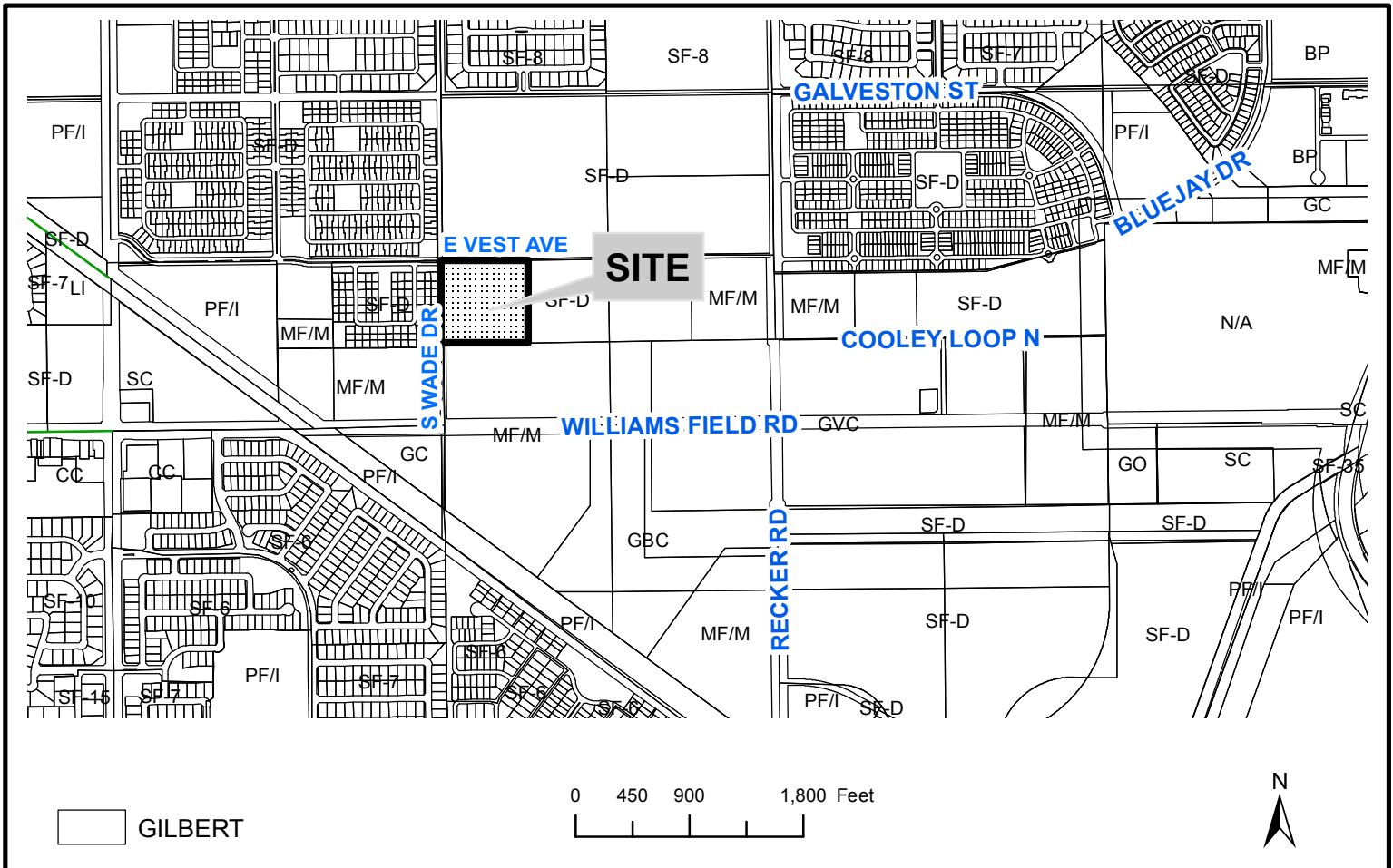
January 8, 2014

Notice of Public Hearing

PLANNING COMMISSION DATE:**TOWN COUNCIL DATE:****Wednesday, January 8, 2014* TIME: 6:00 PM****Thursday, February 13, 2014* TIME: 7:00 PM****LOCATION: Gilbert Municipal Center, Council Chambers****50 E. Civic Center Drive***** Call Planning Department to verify date and time: (480) 503-6700****REQUESTED ACTION:**

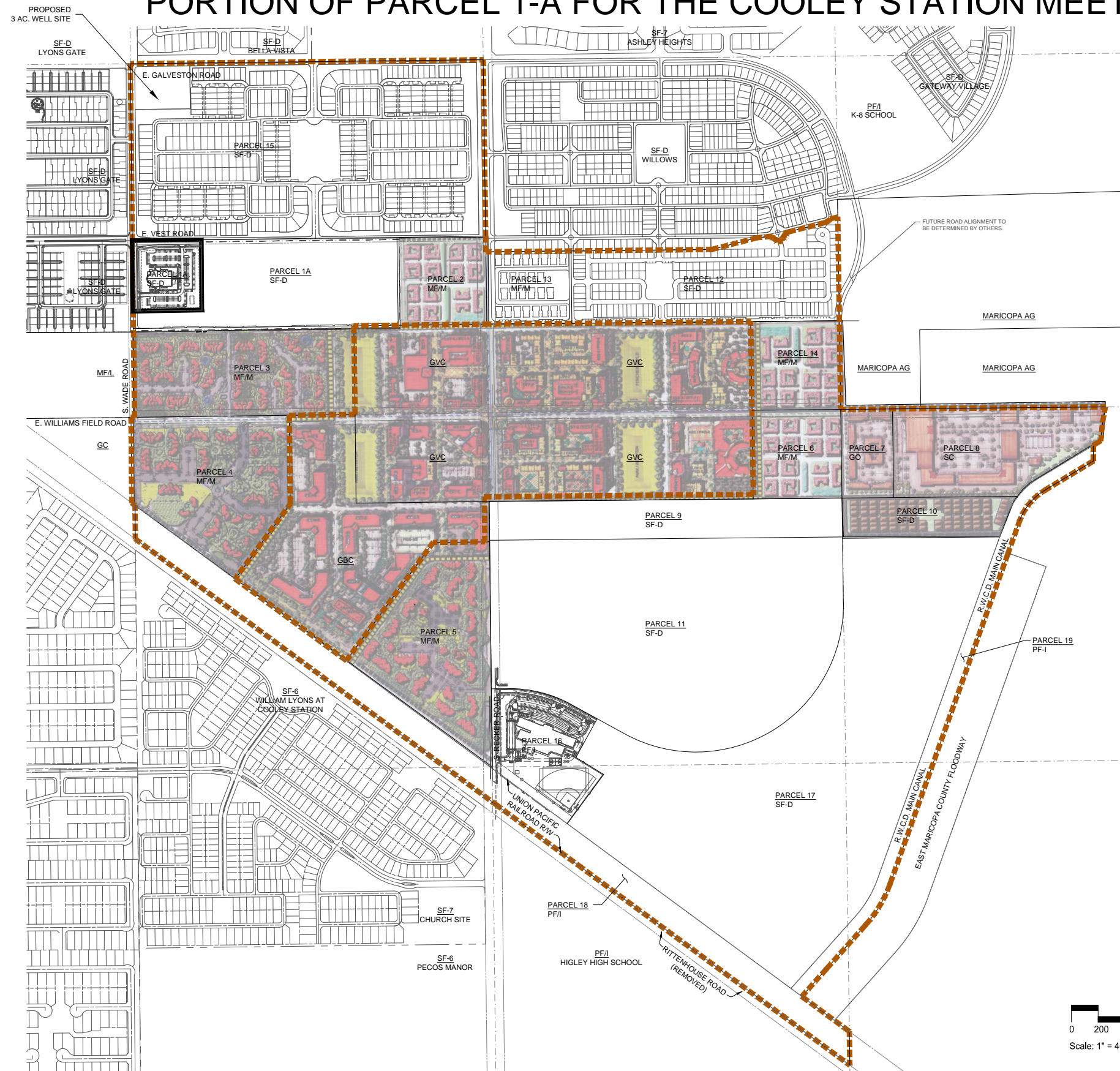
Z13-32: Request to amend Ordinances No.1900, 2179, 2195, 2304, 2413, 2425 and 2443 to rezone approximately 5.9 acres of real property within the Cooley Station Residential, Office and Shopping Center Planned Area Development ("PAD-ROS") and Cooley Station -Residential 2 Planned Area Development ("PAD-2") located at the southeast corner of South Wade Drive and East Vest Avenue from approximately 5.9 acres of Single Family Detached (SF-D) zoning districts with a Planned Area Development overlay zoning district to approximately 5.9 acres of Multi-Family/Low (MF-L) zoning district with a Planned Area Development overlay zoning district as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office, and to amend conditions of development in the Cooley Station Residential, Office and Shopping Center Planned Area Development ("PAD-ROS") and Cooley Station -Residential 2 Planned Area Development ("PAD-2") as follows: reduce the common open space and landscaping requirements. The effect of the rezoning will be to provide reduced open space and landscape requirements to accommodate development of a Small Scale Place of Worship on the property.

* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m.

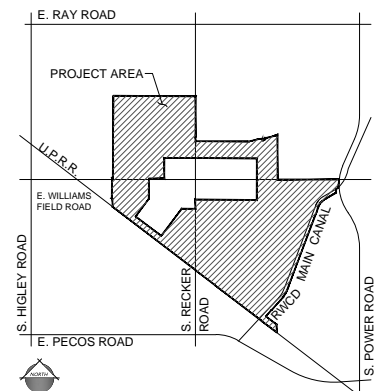
SITE LOCATION:**APPLICANT: Pew & Lake, PLC****CONTACT: W. Ralph Pew****ADDRESS: 1744 S. Val Vista Drive #217****Mesa, AZ 85204****TELEPHONE: (480) 461-4670****E-MAIL: ralph.pew@pewandlake.com**

DEVELOPMENT PLAN
FOR
COOLEY STATION RESIDENTIAL, OFFICE
AND SHOPPING CENTER AND RESIDENTIAL 2 PADs:
PORTION OF PARCEL 1-A FOR THE COOLEY STATION MEETING HOUSE

Attachment 3: Development Plan Exhibit
& Open Space and Circulation Map
January 8, 2014



NITY MAP



PROJECT TEAM

LANDOWNERS:
POCO RANCH, INC.
17407 E. RAY ROAD
HIGLEY, AZ 85236
TEL: (480)-988-3059
CONTACT: JEFF COOLEY

CONSULTANT:
PEW & LAKE, PLC
1744 S VAL VISTA DR
SUITE 217
MESA, AZ 85204
TEL: (480)-461-4670
CONTACT: RALPH PEW

CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
CONTACT: JOSH HANNON

PROJECT DATA

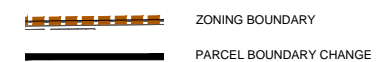
| | |
|------------------------|--|
| RELATED ORDINANCE NOS. | ORD. NOS. 1900, 2179, 2195, 2304 AS AMENDED BY ORD NO. 2413 |
| TOTAL GROSS AREA: | 541.94 |

| <u>PARCEL</u> | <u>ZONING</u> | <u>GROSS AREA (AC.)</u> |
|---------------|---------------|-------------------------|
| 1A | SF-D | 23.78 AC. |
| 1A | SF-D | 5.86 AC. |
| 9 | SF-D | 17.42 AC. |
| 10 | SF-D | 8.47 AC. |
| 11 | SF-D | 80.90 AC. |
| 12 | SF-D | 26.88 AC. |
| 15 | SF-D | 79.32 AC. |
| 17 | SF-D | 106.28 AC. |
| | SF-D | 348.91 AC. |
| 2 | MF/M | 9.91 AC. |
| 3 | MF/M | 24.89 AC. |
| 4 | MF/M | 25.15 AC. |
| 5 | MF/M | 25.08 AC. |
| 6 | MF/M | 10.00 AC. |
| 13 | MF/M | 7.82 AC. |
| 14 | MF/M | 10.00 AC. |
| | MF/M | 112.85 AC. |
| 7 | GO | 5.83 AC. |
| 8 | SC | 20.37 AC. |
| 16 | PF/I | 12.85 AC. |
| 18 | PF/I | 30.31 AC. |
| 19 | PF/I | 10.82 AC. |
| | PF/I | 53.98 AC. |
| TOTAL: | | 541.94 AC. |

NOTES

1. THIS PLAN IS NOT A CONSTRUCTION DOCUMENT.
2. PARCEL AREAS ARE APPROXIMATE. FINAL PARCEL AREAS SHALL BE PER DEVELOPMENT APPLICATION PLANS FOR EACH PARCEL.
3. THIS PROJECT SHALL BE DEVELOPED IN CONFORMANCE WITH THE TOWN'S ZONING REQUIREMENTS FOR THE MULTI-FAMILY/MEDIUM (MFM), MULTI-FAMILY/LOW (MFL), SINGLE FAMILY - DETACHED (SF-D), GENERAL OFFICE (GO) AND SHOPPING CENTER (SC) ZONING DISTRICTS AND ALL DEVELOPMENT SHALL COMPLY WITH THE TOWN OF GILBERT LAND DEVELOPMENT CODE EXCEPT AS MODIFIED BY THIS ADOPTED ORDINANCE.

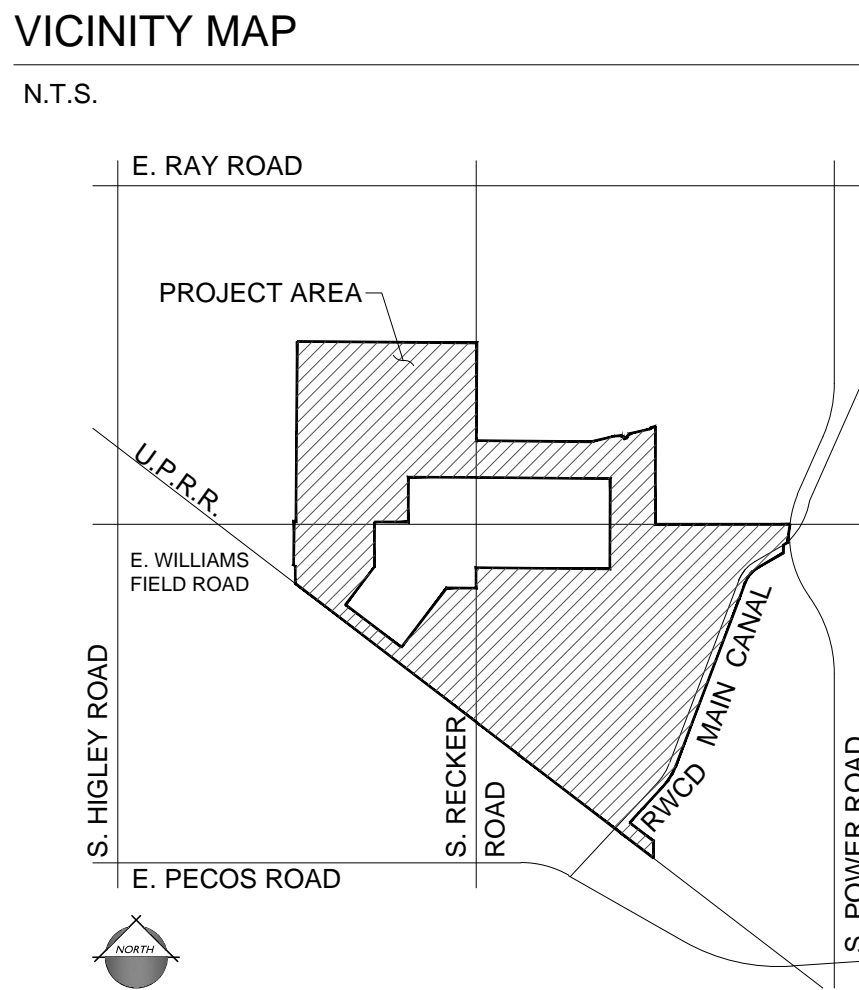
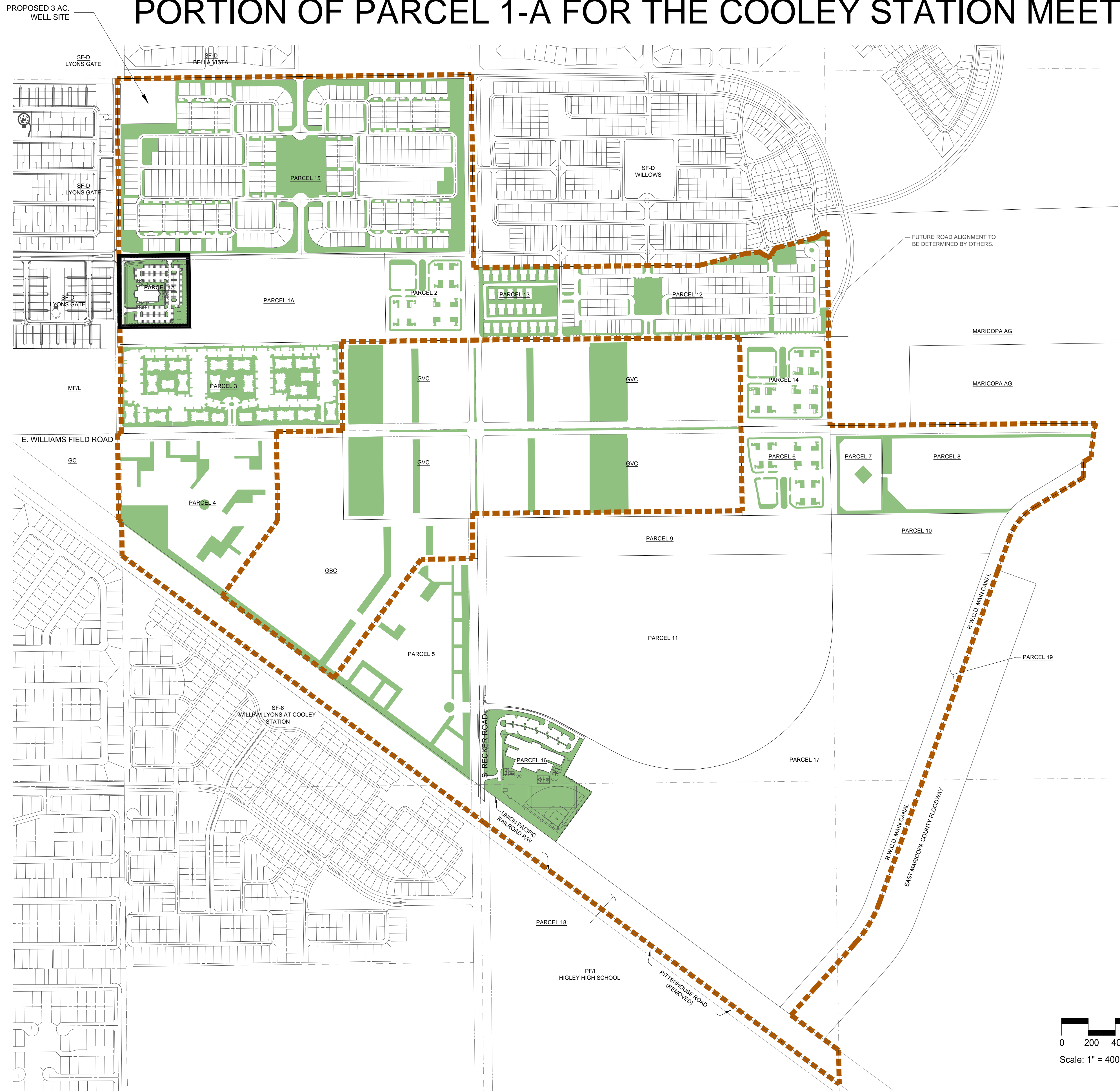
LEGEND



TOWN OF GILBERT CASE NO.

Case # _____
Date of Meeting: _____

OPEN SPACE & CIRCULATION PLAN FOR COOLEY STATION RESIDENTIAL, OFFICE AND SHOPPING CENTER AND RESIDENTIAL 2 PADs: PORTION OF PARCEL 1-A FOR THE COOLEY STATION MEETING HOUSE



PROJECT TEAM

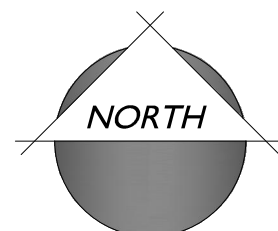
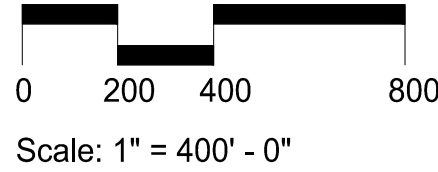
LANDOWNERS:
POCO RANCH, INC.
17407 E. RAY ROAD
HIGLEY, AZ 85236
TEL: (480)-988-3059
CONTACT: JEFF COOLEY

CONSULTANT:
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1744 S VAL VISTA DR
SUITE 217
MESA, AZ 85204
TEL: (480)-461-4670
CONTACT: RALPH PEW

CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
CONTACT: JOSH HANNON

LEGEND

- ZONING BOUNDARY
- PARCEL BOUNDARY CHANGE
- CONCEPTUAL OPEN SPACE



TOWN OF GILBERT CASE NO.
Case #
Date of Meeting: _____

eps group, inc.
Engineers, Planners & Surveyors
2045 S. Vineyard, Ste. 101, Mesa, Arizona 85210
Phone (480) 503-2250 Fax (480) 503-2258

Project:
COOLEY STATION RES., O., & SC & RES. 2 PADs
Gilbert, Arizona

Open Space and Circulation Plan

November 2013 - 1st Zoning Submittal

Call at least two full working days before you begin preparation.

ARIZONA
Professional Seal
State of Arizona
Professional Engineer
In Maricopa County (802285-1100)

Designer: **STAFF**
Drawn by: **STAFF**

Preliminary
Not For
Construction
Or
Recording

Job No.
13-219
OPEN SPACE
Sheet No.
5 of 5

Z13-32 - Rezone and modify the Development Plan for approximate 5.9 acres of real property generally located at the southeast corner of Wade Drive and Vest Avenue from the Town of Gilbert Single Family-Detached (SF-D) with a Planned Area Development (PAD) overlay zoning district to conventional Multi-Family/Low Density (MF-L) zoning district.

Senior Planner Maria Cadavid displayed an aerial map and noted that this application was part of Cooley Station. The request is for a rezoning of 6 acres for a LDS meetinghouse facility at that location. The applicant states that the reason they are requesting the Multifamily Low designation is because in those land use classifications Multifamily Low is one of the recommended zoning districts to achieve the desired density. The owner of the land prefers that zoning district designation. Staff does not have any issues with that as the applicant exceeds all the setbacks and standards and are short only on the open space because in a conventional multifamily apartment development that number is fairly large. This is a minor church facility and besides the building and the parking field everything else will be landscaped. Fulton homes have a proposal for homes right across the street from this facility. Staff is reviewing another residential development East and South of the site. Staff feels that this is a use that complements all of those residential densities. Another point that staff has discussed with the applicant and which they have accepted is to maintain the 6 acres as part of Cooley Station.

Commissioner Fuller said that his concern was what would happen if for some reason a church wasn't developed on the site and down the road it sells with a multifamily low zoning.

Planner Cadavid said that what was presented was the development exhibit for that portion of parcel 1A of Cooley station.

Commissioner Bianchi said that if it was a place of worship why they would need the rezone.

Ms. Cadavid stated that Single Family and Single-Family Detached do not permit a place of worship. The applicant points out that in the general plan, in parentheses, where they make zoning recommendations to achieve density and those are those districts plus the Multifamily Low. The applicant states that they will stick with the MF – L and comply as much as they can so that they do not have to do a General Plan Amendment. The owner of the land also agrees with that because they want to maintain that comparable density in the surrounding areas.